

Chapter 8

Oswald: A Decoy, a Patsy, a Victim

Of all the critics of the Warren Report, none has come up with a better description of that pseudo-historic document than the one Garrison gave to James Phelan of the *Saturday Evening Post* (May 6, 1967) :

'What they did on the Warren Commission was send a hundred squirrels out to pick up leaves, acorns and sticks. Each squirrel brought something in and dumped it in a box. Then the head squirrels looked at this collection of junk and tried to reconstruct the terrain where it had been picked up.'

This is exactly what happened. The Warren Report is full of irrelevant material, trivia, hearsay, scientific abracadabra, sideshow technicalities and just about everything except hard and fast evidence. The Commission convicted Oswald without a shred of the kind of evidence that would stand up in a court of law, under cross-examination.

It is a sad commentary indeed on the limitless gullibility of the American public and the unbelievably low standards of reporting and enquiry to which the American press has sunk that such hair-raising nonsense as the Warren Commission produced could be accepted as gospel truth by 200 million people, with scarcely a word of protest or dissent.

And it is even more shocking that, when the truth finally came out, the only noticeable reaction was a nationwide consensus to suppress it by any and all means at hand. Because '200 million Americans can't be wrong,' there was an instantaneous, unanimous resolve among the opinion-makers not to right the wrong even after it had been glaringly exposed.

As has been mentioned before, District Attorney Garrison as early as February 23 had publicly stated his

belief that Lee Harvey Oswald did not kill President Kennedy. A few days later he amplified this statement by adding that Oswald had not killed Patrolman Tippit either.

Nobody paid any attention to these declarations which even went unreported in wide sections of the press. What should have been, by all normal standards of journalism, tremendous 'bombshells' turned out to be duds.

It was not until several months later that Garrison finally managed to get a hearing for his repeated contention that Oswald was no assassin but merely a scapegoat sacrificed by the real plotters.

On the evening of May 21, 1967, Garrison gave a local television station in New Orleans a long interview in which he for the first time laid some of his cards on the table—others were still kept firmly clasped to his chest. The calm conviction of his statements and the previously unknown details he gave impressed the Associated Press sufficiently for it to send out a long dispatch about this interview.

There was only one thing wrong with that dispatch : it didn't get into the papers. With very few exceptions, editors killed it—even those who normally take almost anything AP has to offer. Not only in America, but also in England and on the Continent, this revealing dispatch was almost totally ignored. That's why it is doubly important to quote from it at length :

Dateline New Orleans, Louisiana, May 22, this AP dispatch said :

'District Attorney Jim Garrison said Sunday night Lee Harvey Oswald did not kill President John F. Kennedy and charged that the Central Intelligence Agency (CIA) "through devious ways and through intermediaries is actually paying lawyers to block the completion" of his investigation of the presidential assassination.

'Garrison, who began his own probe last fall of the Nov. 22, 1963, slaying in Dallas, Texas, of Kennedy, said the CIA is guilty of a "criminal act".

“And if the director of the CIA and the top officials of the CIA were in the jurisdiction of Louisiana, I would charge them without hesitation,” Garrison said in an interview with newsman Bob Jones on WWL-TV of New Orleans. The station presented an hour-long documentary on Garrison’s investigation Sunday night.

“The flamboyant Garrison, this city’s unorthodox prosecutor for six years, told Jones he would include CIA director Richard Helms “because he has to know what he’s doing . . .”

“The Central Intelligence Agency began its criminal activities in my judgment,” Garrison said, “immediately after the assassination when they failed to reveal to the Federal Bureau of Investigation in its entirety what its activities were in New Orleans when Lee Oswald was working for it and it’s compounded them since by essentially criminal activities by making every possible effort to block our investigation.”

It must be something of a novelty in the annals of secret service that the official intelligence agency of a country is publicly indicted by a high-placed law-enforcement officer of that same country for ‘essentially criminal activities.’

As the Central Intelligence Agency is an arm of the U.S. Government, and its director is a member of the Cabinet, this is tantamount to saying that the Government itself is acting criminally.

‘Asked if Oswald fired the fatal shots in Dallas,’ the dispatch went on to say, Garrison replied :

“No, Lee Harvey Oswald did not even shoot President Kennedy. He did not fire a shot from the Book Depository Building . . . He did not touch a gun on that day. He was a decoy at first. And then he was a patsy and then he was a victim.”

“This is how Garrison answered the next question about who did kill the President :

“Oh I can say who did without any question, and we know the group and we know some of the names of the group. But we don’t know which one was standing where

and we can't find out with the CIA keeping its vaults locked.

"*They were former employees of the CIA. We managed to get the names of some of them in a way I can't describe here, but we cannot find out through any government agency where they are located now . . . and we have a stone wall there as far as the identification of the other individuals.*

"*But I can say the rest of them are Cubans who were training in New Orleans.*"

Like everything else in the case, this statement by Garrison was twisted around in the press where it was mentioned or referred to at all. Later press accounts in various countries tended to create the impression that Garrison was blaming Cubans and Cubans alone for the assassination.

That is not true. His remark, 'But I can say *the rest of them are Cubans*,' clearly indicates that the principals in the action were Americans.

'Garrison said his investigation is now "moving at a snail's pace," but quickly added, "it isn't that fatal a problem for us because the essential elements we have clarified a long time ago.

"*I don't believe they can stop us. They can just delay us.*"

A little later, the AP put out the following addenda to the foregoing story :

'District Attorney Garrison said . . . the Central Intelligence Agency "knows the name of every man involved (in the assassination) and the names of the individuals who pulled the triggers from the grassy knoll and the stonewall area."' And :

'Garrison said his investigation has been successful.

"*We have learned what happened. We have located photographs in which we have found the men behind the grassy knoll and stonewall before they dropped completely out of sight.*

"*There were five of them,*" he said. "*Three behind the stonewall and two behind the grassy knoll.*"

The New York Times ('All the News That's Fit to Print') finally got around to mentioning this interview in a story published on June 28, in connection with the Columbia Broadcasting System's series on the Warren Report and its critics.

Under the heading 'Garrison Labels Oswald a "Decoy",' the *Times* reported: 'District Attorney Jim Garrison of New Orleans contends that Lee Harvey Oswald was set up by the real assassins as a "decoy" with the hope that he would be killed by angry Dallas policemen.

'The theory by Mr. Garrison . . . was broadcast last night by the Columbia Broadcasting System . . .

'In a telecast on May 21, Mr. Garrison said that Oswald "did not even touch a gun" on November 22, 1963, when the President was killed. Instead the District Attorney contended, the assassins were five anti-Castro Cubans angered over the failure of the Bay of Pigs invasion. [This is incorrect, as I have pointed out above—J.J.]

'In the latest CBS interview by Mike Wallace, which the network said was filmed in New York June 15, Mr. Garrison contended that the conspirators arranged the murder of Dallas Patrolman J. D. Tippit in a scheme "to get rid of the decoy in the case, Lee Oswald." The Warren Report held that Oswald also killed the policeman.

'"So that he (Oswald) would not later describe the people involved in this," Mr. Garrison said, "they had what I think was a rather clever plan. It's well known that police officers react violently to the murder of a police officer.

'"All they did," he continued, "was arrange for an officer to be sent out to Tenth Street, and when Officer Tippit arrived there, he was murdered. Oswald was pointed to, sitting in the back of the Texas Theater, where he had been told to wait.

'"Notification is gotten to the police of a suspicious man at the back of the theater. And you know the rest. The Dallas police, apparently—at least the arresting police officers—had more humanity in them than the

planners had in mind, and this was the first point at which the plan did not work completely.

"So Oswald was not killed there, he was arrested. This left a problem. Because if Lee Oswald stayed alive long enough, obviously he would name names, and talk about this thing that he had been drawn into. It was necessary to kill him."

"That's where Jack Ruby comes into the picture?" Mr. Wallace asked...

"That's right," Mr. Garrison replied. "It was necessary for one of the people involved to kill him."

I don't quite agree with Mr. Garrison here. I feel satisfied that the arresting officers at the Texas Theater, far from having any shred of humanity in their hearts, arrested Oswald according to a preconceived plan. I also feel sure that Tippit wasn't picked out to be sent to Tenth Street by chance, but that he was deeply involved himself in the conspiracy. He was certainly killed by one of the plotters, as Garrison thinks too, but I believe that he was liquidated—with the knowledge and approval of his superiors in the Dallas police—because he knew too much.

All this is thoroughly discussed and, I believe I can say, thoroughly substantiated by the evidence in *Oswald: The Truth* (Part II—The Case Against the Dallas Police).

I am also of the opinion that the arresting officers, having picked up the revolver with which Tippit had been slain from the hands of the real murderer, a fellow-plotter, carried it to the Texas Theater and forced it into Oswald's hands to get his fingerprints on it.

Indeed, this is the most conspicuous flaw in Garrison's theory on the Texas Theater incident: If Oswald was innocent, as he says, and as I also believe, and the police arrested him at the movie in the manner Garrison says, how then did the murder weapon get into Oswald's hands?

However, this difference of opinion concerns merely a number of details without cardinal importance. On all

essential issues, I completely agree with Mr. Garrison's presentation of the case.

Perhaps one more reservation is in order.

Garrison says the five killers were 'former' employees of the CIA. Was it not a matter of course that they would not have been kept on the CIA pay-roll after killing the President of the United States? And, is it conceivable that these men would have dared to commit such a deed without at least the implicit sanction of their 'former' employer? Does not the fact that the CIA, in Garrison's own words, began its criminal activities immediately after the assassination, in shielding the assassins, as it did, with all its power, clearly also bespeak a CIA involvement in the plot itself?

Why should the CIA, an important arm of the federal government, want to shield the murderers of the President if the agency were not directly involved itself?

Chapter 9

Counter-attack from Washington

I

Hugh Aynesworth and a Newsweek Smear

In the initial phase of the Garrison investigation, Washington and the faceless press which takes its cue from 'informed sources' there had been content to ridicule 'Big Jim' as an inordinately ambitious politician and vain publicity-seeker with an ego even bigger than his oversize boots.

When Garrison put the CIA in the dock, however, the tone changed. Nobody gets away with attacking the most sacrosanct of America's sacred cows. Moreover, a former FBI man impugning the integrity of that other symbol of American righteousness, J. Edgar Hoover, was practically guilty of high treason.

So the word went out that the time had come to 'destroy' Garrison, and all the toadies, of which there are more in Washington to the square mile than anywhere else in the world, rushed into action.

This new and savage mood of officialdom first found expression in a regular 'hatchet job' performed by *Newsweek* magazine in its issue of May 15, 1967, entitled '*The JFK "Conspiracy"*'.

Like other so-called news magazines, *Newsweek* seldom publishes signed articles, except from its regular columnists. In this particular case, however, Hugh Aynesworth, a man whose byline had never before appeared in *Newsweek*, and who did not even belong to its regular staff, was given top honours for a lousy piece of journalism.

Newsweek described its new find as 'a veteran reporter, who covered the assassination and its aftermath' and stated that he had been sent to New Orleans by the editors for five weeks.

Who is 'veteran reporter' Hugh Aynesworth?

Penn Jones Jr., the courageous and knowledgeable Texas editor, who alone stood up where all the others cringed (for details, see *Oswald: The Truth*), wrote in his small-town paper *The Midlothian Mirror* on June 22, 1967:

'At the time President Kennedy was killed, Aynesworth was the darling right-wing reporter of the *Dallas Morning News*. He covered the assassination, and was at all the important sites within minutes after each event. Aynesworth has boasted that he knows more than anyone about the assassination, yet he did not testify before the Warren Commission . . .

'Aynesworth covered the Ruby murder trial, and about this time moved into a position of unofficial leak for the Warren Commission. Choice bits of information came to Aynesworth as rewards to both him and the *Dallas News*.

'Aynesworth allegedly was chosen to be the person to handle the sale of the famed Oswald diary to the News.' (Not only 'allegedly'; the Oswald diary was later published under Aynesworth's byline. For contents of this CIA-edited pseudo-document, see my book *Marina Oswald—J.J.*) 'Early in 1964 the Warren Commission managed to get the document to Assistant Attorney William F. Alexander who then negotiated until he was sure of obtaining the maximum sum for its sale. Alexander sold to *The News* for a sum above \$50,000. Then Alexander left Dallas immediately for a vacation in New Orleans.'

The Alexander here referred to is the top aide to the Dallas District Attorney Henry Wade. Between them, these two worthies concocted the judicial part of the frame-up of Lee Harvey Oswald. Then, as we now learn, they peddled a phony document which was, however, the literary property of the murdered victim, Oswald, to the highest bidder. In *Marina Oswald*, other examples of this crass and sordid commercialism involving police sources in Dallas will be found.

Penn Jones Jr., continues: 'Aynesworth probably did

have some insights to the assassination not privileged to other reporters. For about a month he was a close associate of Marina Oswald.

'Soon after the Ruby trial Aynesworth left the *News* for his own public relations firm. Then he moved to *Newsweek* Magazine where as a self-pronounced expert he has a greater territory to misrepresent the assassination story. So we hope our readers will understand the regret we feel that such a small man has such a large magazine audience.'

In the large volume of fan mail which I received after the publication of *Oswald: Assassin or Fall Guy?* there was a letter from a Mrs. Shirley Martin, Hominy, Oklahoma, who has since received wide recognition as one of the most tireless investigators of the Kennedy assassination within a group humorously known as 'the housewives' underground'. Mrs. Martin wrote in this letter dated July 6, 1964:

'In a recent telephone conversation with *Dallas Morning News* reporter, Hugh Aynesworth (*which conversation I was able to tape*) he said as follows: He (Aynesworth) was standing at the foot of the Texas School Book Depository at approximately 1 p.m. when he heard a police car radio blare forth the information that a policeman had just been reported killed in the Oak Cliff area. Mr. Aynesworth says he immediately conjectured that the killing of the policeman had a bearing on the assassination. He ran to the police car and, because he is a friend of all Dallas policemen, was taken with them to the murder scene at East 10th and Patton. I asked Mr. Aynesworth *when* he got to the scene, what exact time? Mr. Aynesworth, who indicated he was in one of the first cars to arrive, set the time exactly: "At 1.05," he said. "Not later than 1.10."'

In a subsequent letter, dated October 29, 1964, Mrs. Martin added the following details:

'... It has intrigued me that Aynesworth was so convinced in his conversation with me that Tippit had been killed around 1 p.m. Aynesworth is extraordinarily proud

of the fact that he is the only reporter in the United States to have been at all four major scenes (the assassination, the Tippit killing immediately after, the arrest of Oswald in the Texas Theater, and the murder of Oswald in the police basement). When I praised Mr. Aynesworth for this and suggested that perhaps he should have been considered for the Pulitzer Prize (rather than Mr. Smith whom Mr. Aynesworth claims does not deserve the prize as another Dallas reporter did all his, Smith's, writing for him), Mr. Aynesworth modestly admitted to an oversight on the part of the committee, but continued to speak at great length over his four unique experiences. When I asked Aynesworth how and when he first heard about Tippit, he replied:

“I was standing near the Texas Book Building, all the other reporters had gone to Parkland (Hospital), but I felt a story was breaking near the building, when I heard a squad radio blast out that a policeman had been shot in Oak Cliff. This was around one o'clock. I ran to the car and went with it to Patton and tenth. I had a hunch that the policeman's murder was tied in with the assassination. I got to the Tenth Street area about 1.05, not later than 1.10 p.m.”...

If Aynesworth, by all accounts a great friend of the Dallas police, ‘felt a story was breaking near the (TSBD) building’, while all the other newsmen had followed the dying President to Parkland Hospital, one may take it for granted that he had been tipped off by one of his police pals to stand by, for something important that was about to happen. Aynesworth's instantaneous ‘hunch’ that the policeman's murder was somehow tied in with the assassination points in the same direction. And the fact that he got a ride in a police car not only to the Tippit slaying scene but also from there straightaway to the Texas Theater, although—as I have demonstrated in *Oswald: The Truth*, there was nothing to connect these two events, unless the police knew well before they were alerted that Oswald was going to be at that movie,

strongly suggests that Aynesworth was privy to the frame-up plot.

But even if this could not be proved against him in a court of law, Aynesworth definitely has convicted himself as an accessory after the fact in the Kennedy assassination. The taped account of his conversation with Mrs. Martin shows that Aynesworth *knew* that the Warren Commission was wrong in fixing the time of the Tippit killing at 1.15 p.m.

Now, the time element in the Tippit slaying is a matter of cardinal importance. If this murder happened only a few minutes earlier than 1.15—and Aynesworth's taped story shows that it must have occurred before 1.10 p.m.—then Oswald cannot have been the killer, for he could not possibly have covered the distance from his rooming-house to the Tippit slaying site in less than the scant twelve minutes arbitrarily allotted by the Commission for this. (For further details, see *Oswald: The Truth*; Chapter 20, 'The Tippit Murder Hoax'.)

Any evidence to the effect that Tippit was killed several minutes before 1.16 p.m., the time set for his death by the Warren Commission without any proof, exonerates Oswald and, by the same token, proves that he was the victim of a police frame-up. And, if the Tippit Murder is proved a fraud, the official version of the Kennedy assassination, which is tied closely to it, goes the same way.

Therefore, Aynesworth, by concealing his own, definite knowledge that Tippit was slain before 1.10 p.m., has made himself an accessory after the fact, thus committing a grave crime.

This characterisation of Hugh Aynesworth would not be complete without the following quotations from Mark Lake's *Rush to Judgment* :

'I traveled to Dallas at the beginning of 1964 and there met Hugh Aynesworth, a reporter for the *Dallas Morning News*, who gave me photostated copies of a number of original affidavits. These documents, prepared by the Dallas police ...'

So that's where they came from! I had always wondered how on earth Mark Lane had managed to break into the secret of the Dallas police files. A lot of other people must have been wondering, too. Most of all, probably, Dallas Police Chief Jesse E. Curry.

The photostats purloined from the Dallas police archives by their trusted friend Hugh Aynesworth and passed on to a declared foe of the Dallas police, Mark Lane, constituted the first big break in the battle for the truth about the Oswald case. They included, among others, an affidavit signed by Deputy Constable Seymour Weitzman, which proved that the Dallas police had lied when they claimed to have found Oswald's rifle on the fifth floor of the Texas School Book Depository (for details, see *Oswald: The Truth*, Chapter 16, 'Switching rifles', where this affidavit is also reproduced); and the affidavit by Helen Markham stating that the time she had seen Tippit being shot was just after 1.06 p.m.

The Markham affidavit bears out Aynesworth's own observations about the time Tippit was really killed—well before the 1.16 p.m. set by the Warren Commission—and, by the same token, aggravates his crime in withholding this vital piece of evidence, for he was the first to lay hands on it. It is self-evident, then, that Aynesworth has been carrying water on both shoulders and cashing in on information distributed by him to both sides.

If Hugh Aynesworth left the *Dallas Morning News* shortly after the Ruby trial, as Penn Jones Jr. indicates, the most likely reason was that by that time his bosses at the *News* had gotten wind of his betrayal of police secrets to Mark Lane—secrets hot enough to blow the whole Oswald Hoax sky-high. For, in the summer of 1964 Mark Lane had already displayed some of these affidavits publicly and the Weitzman and Markham evidence had already been discussed in my book *Oswald: Assassin or Fall Guy?* Undoubtedly there followed a police investigation of this embarrassing leak which must eventually have led to Aynesworth.

This, then, is the 'authority' for the most vicious and mendacious smear ever to appear in *Newsweek*. The story began with these words :

'Jim Garrison is right. There has been a conspiracy in New Orleans—but it is a plot of Garrison's own making. It is a scheme to concoct a fantastic "solution" to the death of John F. Kennedy, and to make it stick; in this cause, the district attorney and his staff have been indirect parties to the death of one man and have humiliated, harassed and financially gutted several others.'

Ponder the implications of this opening shot. The district attorney of one of America's major cities is here accused of conspiracy, not just to pervert the course of justice in a pending case, but conspiracy to implicate several innocent people in a non-existent crime he has cooked up out of his own fancy. In the process, he has caused the death of one person (the reference is to the lily-white David Ferrie) and has 'humiliated, harassed and financially gutted' several others.

If there were an iota of truth in these allegations, Garrison certainly would deserve to go to jail; if there is no truth in them—there isn't—Aynesworth deserves to go to jail on charges of criminal libel.

'I have evidence,' Aynesworth writes, 'that one of the strapping D.A.'s investigators offered an unwilling "witness" \$3,000 and a job with an airline—if only he would "fill in the facts" of an alleged meeting to plot the death of the President. I also know that when the D.A.'s office learned that this entire bribery attempt had been tape-recorded, two of Garrison's men returned to the "witness" and, he says, threatened him with physical harm.'

These are serious charges. Aynesworth 'has evidence' that the office of the district attorney tried to 'bribe' a witness and, on learning that their attempt had been tape-recorded, had threatened him with violence—'he says.'

Who was this poor, guileless victim of persecution in New Orleans?

Aynesworth introduces him to his readers in these words :

'Less than a week before Shaw's pre-trial hearing, two investigators from Garrison's office visited an unemployed young man named Alvin Beauboeuf at his New Orleans home. They told the twenty-one-year-old they had 'influence' and could help Beauboeuf get a job with an airline if only he would help them substantiate the alleged plot.'

There you have it : Jim Garrison, that miscreant, has spun a conspiracy yarn out of whole cloth to further his political career and get publicity. Now he needs witnesses to bolster his tale, so what does he do? He sends out a couple of his yes-men and they pick out of the gutter the first jobless boy they chance to come upon and attempt to cajole and bully him into serving as a false witness to Garrison's outrageous inventions.

Isn't that the impression any uninformed reader of the magazine that once boasted the editorial slogan 'An informed public is America's greatest security' must gain in reading the above-quoted lines by Aynesworth?

The truth is far different and attentive readers of the present book will already have noticed it, for the name of Alvin Beauboeuf has been repeatedly mentioned in preceding chapters.

Beauboeuf is no poor innocent picked out at random by Garrison's men to serve as a false witness for a consideration. The truth is that he had been a suspect in the assassination from the very first day. He was one of the two young men who accompanied David Ferrie on that highly suspicious 'goose-hunt' or 'skating' trip to Houston and Galveston, in the period between the assassination and Oswald's murder, which has been described in Chapter 3. And he was picked up by Garrison's men, along with Ferrie and Martens, when the trio returned to New Orleans. As with Ferrie, it is only because of the FBI's

and the Secret Service's neglect of duty that his case was not thoroughly investigated in 1963.

Beauboeuf was the dearest of Ferrie's young bosom friends. When Ferrie died, he left a 'Dear Al' letter addressed to him, the contents of which have not yet been fully divulged. Ferrie also bequeathed all of his possessions to Beauboeuf.

'Dear Al' is probably also the young man who on the morning of February 22 found Ferrie's nude body in the latter's apartment, though the police and Garrison have so far refused to identify this person.

Even discounting this last-stated supposition, which is in no way essential to the case, it is perfectly clear from the foregoing that Beauboeuf, who for years had been Ferrie's intimate and for a long time had shared his apartment, was also privy to most, if not all, of Ferrie's secrets.

From the moment, then, that Ferrie again became a prime suspect in the assassination, after Garrison's reopening of the case in the late fall of 1966, one can take it for granted that Beauboeuf was also watched and questioned by the district attorney's investigators. Beauboeuf's vitally important previous connection with the case was purposely withheld by Aynesworth from his readers in order to create a totally false impression. This, indeed, is 'slanting' the news at its worst!

And how does Aynesworth substantiate his allegations of 'bribery' in the case? He says that when Garrison's investigators visited Beauboeuf at his home, the latter 'told them he couldn't do anything without talking to his attorney. They made a date for 2.30 the next afternoon at the lawyer's office.'

In order to understand what happened—or is supposed to have happened—next, one has to keep in mind that David Ferrie was an important cog in the CIA which was therefore also bound to protect his bosom pal Beauboeuf, lest the latter, driven to desperation, should spill the beans. Accordingly, the 'unemployed' Alvin Beauboeuf was supplied with a clever lawyer who promptly devised a scheme for trapping Garrison's investigators,

an endeavour in which he was partly successful. According to Aynesworth, this happened :

'One of the two investigators, Lynn Loisel, a New Orleans policeman assigned to Garrison's office, showed up. What had Loisel told Beauboeuf the night before, the attorney asked? "I told him we had liberal expense money," Loisel replied. "And I said the boss is in a position to put him in a job, also that he would make a hero out of him, instead of a villain, you understand . . . I mean we can change the story around, you know, to positively, beyond a shadow of doubt . . . You know, eliminate him, you know, into any kind of conspiracy or what have you."'

One does not have to be particularly intelligent to realise that important portions of what Loisel said have been taken out here and replaced by dots. Sentence structure is so haphazard that it is evident connecting parts are missing. But, let Aynesworth continue :

'The attorney wanted to know more about the offer of money. Loisel answered : "I would venture to say . . . Well, I'm, you know . . . fairly certain we could put \$3,000 on him." He snapped his fingers. "Just like that, you know."

'Loisel was asked about the promise of a job. "I don't know," the burly cop said. "I'm sure he would have to go up through the ranks, you know. The first year or two he might stay in a room in the back with the charts or something . . . I don't know. Then he advances a little farther. Then he's a co-pilot . . . Then he is a pilot." Beauboeuf's lawyer asked if this was Garrison's idea, if "the boss" meant Jim Garrison? Loisel replied that it did.

'Then Loisel laid out the "conspiracy plot" to which Beauboeuf presumably would testify. He discussed "cross fire" and escape routes. As Loisel "recalled it", Ferrie and Shaw had been arguing in the apartment—or maybe it had been Oswald and Shaw—the investigator couldn't quite recall for sure. Loisel added : "Clay Shaw wanted some of his methods used, or his thoughts, you know,

used. But anyway, that's what we have in mind—along that line."

"Was Al at the meeting?" the attorney asked. Loisel said: "No, Al wasn't at the meeting." But Loisel suggested that Dave Ferrie had told Beauboeuf all about it. The attorney then asked how they would explain Beauboeuf's failure to come forward prior to this. "I'll tell you how we go about that problem," said Loisel. "Well, Dave Ferrie, bless his soul, is gone. Al was scared of Dave. Al has a family, you know. When Al first met Dave, he was a single man. Al has a family now. Al was threatened by Dave, you know, to never divulge this. Al or his family would be taken care of. You understand. Now that poor Dave is gone, Al has voluntarily come forth and told of his knowledge. I mean there's 99,999 ways we can skin that cat, you know. I mean it's something, you know . . . That's his patriotic duty . . . He's placing his family, you know, at the mercy of the DA's office because he must clear his conscience . . . and as an upstanding citizen."

So far, there isn't anything in that account—disconnected as it is by a profusion of dots—to suggest, much less to prove, bribery. It is routine practice by district attorneys all over the country to encourage suspects—and Beauboeuf, as we have seen, very definitely falls into that category—to become co-operative witnesses by promising them immunity and, where there seems to be a need for it, financial assistance. As long as the purpose of such inducement is to make the suspect tell the truth, there can be no question of bribery.

'Bauboeuf told Loisel that he really knew nothing about any plot concerning Ferrie or the assassination,' the *Newsweek* story goes on. But he offered to take the 'truth serum', hypnotism, polygraph tests, anything. He had one question. Would they still give him the job if he turned out to be of no help to them? Loisel said: 'I'll have to check back with the boss.'

'When the D.A.'s men learned that the meeting in the attorney's office had been recorded on tape, Loisel and a colleague returned to threaten Beauboeuf. He was told

if he got in the way he would be shot. Then they hauled him down to the courthouse and made him sign a statement that said, in effect, that he didn't consider the offer of \$3,000 and a job as a bribe. They told him bluntly that they had "enough on him" to ruin him. Today, with a wife, an eleven-month-old son *and a job*, Beauboeuf is as worried about the existence of some pictures the D.A. holds over his head as he is about physical harm . . .'

This last sentence is of course extremely revealing. What kind of pictures is Garrison holding over Beauboeuf's head? If they related solely to homosexual activities or similar offences, they would hardly justify the young man's worry in a generally tolerant city like New Orleans. It is reasonable to presume, therefore, that these pictures somehow connect Beauboeuf with the assassination.

Incidentally, how come he now has a job? He was 'unemployed', when Garrison's men first contacted him and he spurned or spoiled their offer of a job. And then, all of a sudden, a job for poor harried Al materialises out of the blue sky—or out of the CIA?

Upon learning of the *Newsweek* story, Garrison immediately released to the press—which of course didn't publish it, although the Aynesworth creation was picked up and reproduced in many papers—an affidavit signed by Beauboeuf in which the young man swore that he had been offered money and a job only after he had complained that he could not afford to take the time to co-operate with the District Attorney; also that he had only been urged to tell the truth.

This is of course the crux of the whole matter which Aynesworth and *Newsweek* have concealed assiduously. Beauboeuf *was involved*, at least to the extent that he had been with Ferrie on that trip to Houston and Galveston and there was every reason to believe, because of the intimate relationship between the two men, that Ferrie had confided other secrets to his friend. These secrets Garrison's men tried to pry loose from Beauboeuf through promises and possibly some pressure—a perfectly legiti-

mate undertaking under the circumstances.

Thus Aynesworth's 'bribery' story falls completely flat. Yet on the basis of this incident, the 'veteran reporter' has the gall to wind up his story in *Newsweek* with these words :

'The real question in New Orleans is no longer whether Garrison has "solved" the assassination. The question is how long the people of the city and the nation's press will allow this travesty of justice to continue.'

That, coming from an Aynesworth, really takes the prize !

Garrison himself shrugged off the whole affair.

'Who owns *Newsweek*?' he asked. '*The Washington Post*.'

'What is *The Washington Post*?' he continued. And again he answered himself :

'An Administration newspaper.'

'And that really does explain everything.'

Chapter 10

A Revealing Interview

Garrison again forcefully took issue with *Newsweek* and his other detractors in an interview with two correspondents of the American Broadcasting Company, Bob Clark and Tom Jarriet, which went on the air on Sunday, May 28, 1967, in the ABC's 'Issues and Answers' programme. Because of its importance, a full transcript of this interview follows :

MR. JARRIET : Mr. Garrison, the Warren Commission's findings on the Kennedy assassination concluded that Lee Harvey Oswald was the lone assassin, that he did not know Jack Ruby and that there was no conspiracy involved. What have you concluded happened on November 22, 1963?

MR. GARRISON : Tom, our evidence indicates that, first of all, Lee Harvey Oswald was not the lone assassin. Furthermore, he was most likely not an assassin at all.

Secondly, he did indeed know Jack Ruby and our evidence confirms that without any question. And finally, our evidence confirms that there is no question about the fact that there was a conspiracy. Unfortunately the Warren Commission was mistaken in regard to these facts.

MR. CLARK : You say, Mr. Garrison, that Lee Harvey Oswald probably was not the assassin, at all. Do you have any evidence that would stand up in court that anyone else actually carried out the assassination and fired the fatal shots?

MR. GARRISON : Yes, we do.

MR. CLARK : Can you say anything about this evidence?

MR. GARRISON : No, I can't.

MR. CLARK : How can you conclusively rule out Oswald as the assassin in the face of the rather overwhelming

evidence of the Warren Report that places him at the scene of the assassination and probably in the sniper's nest?

MR. GARRISON : That is not very difficult, Bob, because there is no overwhelming evidence. As a matter of fact what was done in the Warren Commission investigation was to ignore the majority of witnesses who heard shots coming from the front and they presented—let's see, that will be nineteen witnesses who heard shots coming from the front, and the grassy knoll area, and that is where the fatal shot obviously came from.

The only one called by the Warren Commission was Mr. Zapruder and he was only asked about his camera and the time and so forth of the film. And, of course, in answering that even he pointed out that the shots came from behind him, past his shoulder towards the President. So there is no overwhelming evidence, at all. It is a matter of excluding certain things. As a matter of fact, there is very little evidence that Lee Oswald was up on the sixth floor.

MR. JARRIET : We do know that they found a rifle with Oswald's palm print on it. They found his palm print on the sixth floor and they know this rifle was fired and they have linked this rifle to Oswald so isn't that evidence in itself that Oswald was there and firing a weapon?

MR. GARRISON : No. It is evidence that Oswald had been in possession of that weapon and it is the weapon that Oswald—there is no question about that under the name of Hidell, and there is no question about Oswald being on the scene. But that is a long ways away from actually firing the weapon. That is something they were never able to prove and it was an assumption they made and one which fades before any objective investigation.

MR. CLARK : Well, Mr. Garrison, there were five of us in the wire service car which was the fifth car in the procession and was just moving into the intersection in front of the Texas School Book Depository when the

shots were fired. All five—and this would be the Acting White House Press Secretary and four pool reporters—would state without the faintest shred of any doubt that three shots were fired and they were very loud and very clear and almost over our head from that area. We couldn't testify that they were fired from that sixth floor window but there is no faintest question in the minds of these five observers that three shots were fired from that area.

MR. GARRISON : That is a good point, Bob. I will give you full credit for having heard the shots from the direction you think you heard them from. On the other hand, you have to give credit to other witnesses in Dealey Plaza who believe they heard them from the other direction. Of the one hundred and some odd witnesses in Dealey Plaza, two-thirds of them heard shots coming from the front in the grassy knoll area and only one-third are conscious of the shots coming from the back. So giving you full credit for what you heard—and I am sure you did—we have to also conclude that two-thirds of the witnesses heard shots coming from the front and the Warren Commission doesn't recognise that at all.

MR. JARRIET : Where do you intend to take this case from here? One man has been charged and indicted but not yet brought to trial. Where will it go from here, as far as you are concerned? Will there be other arrests, will there be other charges? If so, when?

MR. GARRISON : Let me answer the one part, first. As a result of some experiences we have had—and I certainly don't blame the press. Naturally, they want to know about an interesting matter like this but our office was almost put out of commission as if it were bombarded by artillery. We are going to have to defer any further arrests to try and make them at a later date, but there will be other arrests and they will probably be before the trial.

MR. CLARK : If we can get back for a moment to the question of where the shots came from, the Warren

Commission did find quite conclusively and after pretty exhaustive tests, that the fatal shots that struck Governor Connally, had to come from the rear of the motorcade. Wouldn't you agree with that?

MR. GARRISON : No. I would agree that they found it conclusively because that is the way they stated it but I would not agree their tests were exhaustive. Furthermore, I think it has become obvious that they are mistaken with regard to the fatal shot having come from the rear. I think that the Warren Report in many respects unfortunately is in the position of Humpty Dumpty. It can never be put back together again. But in this particular regard, the conclusion of the report is totally indefensible. President Kennedy was obviously killed by a shot from the right front. First of all it is obvious because of the fact that a study of the Zapruder films, which were never studied by the Warren Commission before it reached that conclusion, shows that his head went back to the back and the rear as if he were hit with a baseball bat. And secondly, because the effects of the shot, in other ways that I don't want to go into here, show that the shot had to come from the right front. There is simply no question about it.

The point is, Bob, that this is one of many areas which would have come to light had there been an adversary proceeding, had there been an attorney of any kind to raise counter-questions, to cross-examine, to raise points, and these points weren't raised so I would conclude by saying that this is their conclusion but it is entirely incorrect.

MR. CLARK : Of course if you say that the Warren Report is wrong, in saying that the shots came from the rear, that they did come from the front, you are challenging the results of the autopsy and you are saying in effect that somebody for some reason falsified that autopsy, aren't you?

MR. GARRISON : Well, let me ask you, first, have you seen the autopsy?

MR. CLARK : No. The autopsy has never been made pub-

lic but it was available to the Warren Commission.

MR. GARRISON : Do you know any one who has seen the autopsy?

MR. CLARK : I know the members of the Commission saw it. The point would be that you are saying that somebody, either on the Commission or involved in the autopsy, deliberately falsified that autopsy.

MR. GARRISON : No, I am saying—I think it goes deeper than that—I am saying that if the autopsy is not available I think it is impossible for anybody to make conclusive comments about it. The autopsy has not been made available. It is still secret. We don't really know what is in it until it is made available so how can we even argue about it? It is being kept secret. Now I think the fact that it is being kept secret raises some questions. And those are the significant questions.

MR. CLARK : Of course it wasn't kept secret from the Warren Commission.

MR. GARRISON : But it is being kept secret from the American people, and people raise questions. It was kept secret from you. It was kept secret from me. We don't know what is in it. How can we argue about it?

MR. JARRIET : You claim, sir, that both the FBI and the CIA are hampering your investigation by hiding the real assassins. If they are, what evidence do you have that they are doing this?

MR. GARRISON : Let me clarify that. The FBI is not hampering us in any specific way. I am sure that the Bureau is not enthusiastic about the fact that we disagree in a number of ways with their conclusions and I am sure there is some pride involved but the primary problem is the Central Intelligence Agency. The Central Intelligence Agency, actually, I think, has answered your question, itself, because otherwise, were they not in a position of having to hide something, Tom, they would not have to hire lawyers to try and stop the case.

Every lawyer involved in this case, without exception, involved in the attempts to derail the investigation and to stop the case, has been connected by us

with the Central Intelligence Agency.

One lawyer, Mr. Plotkin, has publicly admitted that his client worked for the Central Intelligence Agency. He has also admitted that he is being paid by the Central Intelligence Agency and every other lawyer in the case we have connected with the Central Intelligence Agency. Mr. Burton Klein and his alleged client, Beauboeuf, were flown to Washington, all expenses paid.

The point is if the Central Intelligence Agency is not involved then what on earth are they working so hard to stop the investigation for?

But to get back to an even more important point, our investigation of the activities of Lee Oswald in New Orleans showed that his associations in New Orleans during the six months he was there were not merely frequently—were not merely most of the time, but were continually and exclusively with individuals employed by the Central Intelligence Agency. Oswald's associations were continually and exclusively with individuals engaged in anti-Castro activities. And yet this is not indicated anywhere in the Warren Commission Report. But it hits you in the face in New Orleans and there are no exceptions to it.

MR. JARRIET : Do you believe Oswald was a CIA agent?

MR. GARRISON : No, he was not a CIA agent. He was obviously an intelligence employee of the United States government. This is so obvious that I don't see how they hid it. First of all, his associations at the time, just off the cuff. The fact—here is a boy who went into the Marines when he was seventeen. He had never shown any interest in languages of any kind. He was word-blind which makes it impossible to learn languages by yourself, and that is brought out in the Warren Commission. All of a sudden he is speaking Russian fluently. Obviously through one of our Intelligence cram courses, by our armed forces.

And then he is at Subic Bay, which had at that time a CIA function, I understand. Of course, this is general

knowledge. If it were private knowledge, I wouldn't feel free to comment on it. But it goes on and on.

For example, when, after all his so-called Communist activities, he wanted to get, in the summer of '63, a passport to Europe, he got it in twenty-four hours. And you couldn't do that.

MR. JARRIET: Mr. Garrison, you are saying that Lee Harvey Oswald, you think, was associated with the CIA in some capacity or another. Does this mean that you think the CIA might have had a role in the assassination of President Kennedy?

MR. GARRISON: Well, Tom, in answering, let me just finish one point that I was referring to earlier. Other indications of Oswald's connection with Central Intelligence Agency is the fact that even while in the Marines while stationed at El Toro, as we know from the testimony of Nelson Delgado, Terry Thornley and other individuals, even in the Warren Commission, itself, Oswald had a higher security clearance than the rest of his Marine buddies. And the indications go on and on. The telephone number of the local office of the Central Intelligence Agency is in the front of Oswald's book in a very thinly-disguised simple code to himself. And if you accumulate the associations and his conduct, there is no question about it. But I just wanted to complete that.

Now to get to your question: Of course the Central Intelligence Agency had no role in the planning or intending the assassination of President Kennedy. I think that that would be a ridiculous position for anybody to take. I certainly have never assumed that, but what clearly happened—and we don't think employees of the Central Intelligence Agency were involved. We are going to be able to show it. What apparently happened was that this adventure which was going on in the summer of New Orleans, with regard to Cuba, an anti-Castro adventure involving Latin American individuals and involving Lee Harvey Oswald and others, backfired for some reason. Perhaps after the mission

aborted, which it seems to have in early August, 1963, and the U.S. funds were withdrawn from it.

As a consequence, a spin-off, in effect, apparently occurred and President Kennedy was killed by these same individuals.

Now what the CIA did do, and I presume it rationalised this in terms of national security, it concealed from the Warren Commission, from the American people, from the President and from the world, the fact that its employees, its former employees, were involved in the assassination of the President. Now therein lies the culpability of the CIA.

MR. CLARK : Well, why would anti-Castro Cubans turn a plot to assassinate Castro if you feel this might have been involved, into a plot to assassinate President Kennedy?

MR. GARRISON : That is not hard to answer but let me say first that when I say anti-Castro Cubans I am not criticising all Cubans and no legitimate organisations are involved but in the summer of 1963—actually before that—there were a number of Cuban individuals who had very strong feelings with President Kennedy. Stemming from the Bay of Pigs. Then these strong feelings became amplified with the detente reached with Castro and Khrushchev in the fall of 1962, in October. In the late summer of 1963, for the first time, the administration started putting the detente into specific effect and started cutting down on some of the CIA's activities. At this time our evidence is that the anti-Kennedy feelings of some of these Cuban individuals and other Latin individuals became venomous and the outcome was in what you saw in Dealey Plaza, on the 22nd of November.

MR. CLARK : Have you given specific names to the CIA or the FBI and told them that you have evidence of an assassination conspiracy?

MR. GARRISON : If I had any specific names, any specific evidence, the last agency in the world to which I would give it at this point is the Central Intelligence Agency,

Bob. It is doing everything it can to obstruct us. We have asked them for information. For example, the picture which we know that they took of Lee Harvey Oswald coming out of the Cuban Embassy in Mexico City, at which time he was walking with a known employee of the Central Intelligence Agency, and all we receive is double-talk, so we are certainly not going to ask them for anything. As for the Bureau, I think we are going to get more and more co-operation from the Bureau as they realise that we do have substantial information about the assassination. At that time all of our information will be made available to the Bureau but not to the CIA.

MR. JARRIET : In another area, in the Shaw preliminary hearing in New Orleans, one of the witnesses, a key witness, testified that he was hypnotised repeatedly before he testified. Another confirmed from the witness stand that he was a dope addict with a very severe habit.

Are these the type of people that you will base your case on, people who have undergone hypnosis and people who are on narcotics? Do you have other types of evidence or other types of witnesses that will be forthcoming?

MR. GARRISON : Let me answer your question, Tom, in two parts. First of all, I am not going to say anything about the type of witnesses or the names or the kind of witnesses we will produce at the trial, but I want to comment on the rest of your question : First of all, there is the fact—as to the fact that we placed a witness under hypnosis, *this was done to help objectify his testimony. In other words, when we heard the testimony of this witness, the first thing I said was, 'I want him placed under hypnosis, I want him given sodium pentothal. I want him confirmed with regard to his statements, and I want the kind of confirmation which has a doctor present and not just police officers.'* So we thought we had more or less made history when we made him take hypnosis, we made him take sodium

pentothal, with two reputable doctors present. We felt this made history in the sense that the prosecutor was forcing his own witnesses to objectify their testimony.

Now to my amazement I find that we are supposed to have used these devices to some sinister end, to plant ideas in the head of this witness and as a consequence we no longer bother to objectify in the way we started doing.

Now with regard to the dope addict (Vernon Bundy) it is true, I would rather have a bank president or a successful lawyer—well, not a lawyer. We have had a lot of trouble with lawyers, lately, but a successful business man. But it happens to be a fact of life that you seldom find bank presidents and successful business men sitting on the levée alone by the lake at a place where people are likely to have secret meetings. The question is, is he telling the truth or not. There are many attorneys who are brilliant liars and there are dope addicts who have never learned to lie. And that is the case, here. The question is, was he telling the truth, and the answer is, Obviously.

MR. JARRIET: A man you mentioned earlier, Alvin Beauboeuf, has confirmed reports that one of your investigators offered him money and a position with an airline if he would confirm certain details of an assassination plot and Beauboeuf later said he didn't know of any such details.

Was any such inducement made to a witness, to your knowledge?

MR. GARRISON: Yes, in a sense, but not in the sense in which they sought to imply it. This was a set-up about which I complained to the Louisiana State Bar Association long before it became public, although I seemed to have trouble communicating that to the world at large. Beauboeuf complained that he was unable to even tell us about the case, to my investigators, because he had no job and needed financial help. And my investigators said to him, in effect, 'look, if you have knowledge about the case which will bring it to a con-

clusion and you tell the absolute truth about it, you should have no financial problems. We will get you a job with an airline. I am sure the boss can help you. But you have to pass sodium pentothal, you have to pass hypnosis and you have to pass the lie detector test.'

Now this is very important because he complained during the course of this dialogue about having to take all three and Lynn Loisel was insistent because at that time we were requiring it, fortunately.

Now the reason you have not seen the tape on this, the much-vaunted tape, is because *they cut out the first part* where the insistence is made by Loisel that he take the three tests. But they made a mistake and left in it later references by both Beauboeuf and his lawyer to the three tests he had to take. And by that time we had obtained a copy of it. *So now they can't release it because they have been caught cutting a part of it out.*

In summary, it is not even close to a bribe. If it were, I would remove the man from my office immediately.

We don't operate that way. *No intelligent prosecutor wants a lying witness on the stand because a good defence attorney will tear him to ribbons.* It was just an attempt to create the picture of a bribe.

Now what is significant is the fact that *Newsweek* magazine, this crummy news magazine owned by *The Washington Post*, which is a mouthpiece of the administration, has never bothered to find out the truth from us. It has never made any attempt at all, and it has made it look like a bribe and I think that is unforgivable. It raises questions about the motives of this so-called news magazine.

MR. JARRIET : Was anything in the way of jobs or money offered to any other witness if he would tell the truth, or any future security? Any witness such as Russo?

MR. GARRISON : No, I know of no such other incidences. As a matter of fact, it is certainly not a pattern of the

office. I would regard it in that case as an incident of enthusiasm on the part of this particular investigator who was sucked into it by the circumstances. I think it certainly not in the best manner and the best traditions of questioning a witness but I think the fact that he *insisted it had to be the whole truth* indicates a lack of sinister motive. Naturally I have talked to him about approaching any witness that way because of the danger of it being misunderstood but this is the only case I know of. We simply don't operate that way and I don't think other DAs offices do, either.

MR. CLARK : One of the men who served as an attorney for Jack Ruby—that was Sol Dann—said this past week, and let me quote his words to you, 'It would very much appear that Mr. Garrison has improperly discharged his responsibilities. His actions appear irresponsible and not in keeping with his role as prosecutor, which is to protect the innocent as well as convict the guilty.'

He is asking that you be disbarred. Is it irresponsible to make the sort of charges you have made in public before they are made in court?

MR. GARRISON : Well, Bob, I am not aware of any particular charges I have made in public, except where they have been brought out by the newspapers, or except where I have replied to some great brain like this attorney. But you are going to find that I have initiated very few charges. For example, the revelation of the investigation itself was made over my objection.

Do you have any examples in mind?

MR. CLARK : I think he is particularly concerned about your linking Oswald to Ruby.

MR. GARRISON : Ah ! Let me reply. My linking Oswald with Ruby the first time publicly, was in my reply to the Associated Press last night, to his statement. We have had solid evidence for a long time that Ruby was linked with Oswald but we have not referred to it for several reasons and one of them is that the man is dead, that he has a family left. We didn't even hint at it until

this lawyer came up with this ridiculous comment. So now when you asked me earlier, when Tom did, I felt free to comment on it.

Of course, what it all adds up to is, he would love to see me disbarred because he knows I am going to connect Ruby with the conspiracy and that is going to be very easy to do.

MR. JARRIET : Mr. Garrison, by comment you have made, you have cast doubt on a federal government investigative agency, the CIA. You have cast doubt on the Warren Commission's findings on the murder of a president. How would you pass judgment on yourself if in time you cannot prove what you have stated about these agencies?

MR. GARRISON : Well, to take the last part of your question first, Tom, the question will not arise because we have already proved it and we have the evidence. It is a matter of solving the problem of communication. But to any reasonable man in the United States or the world, I can prove that, tomorrow. Right now. So that problem won't arise. But even if it were to, hypothetically, my evaluation would be : at least I have made an attempt to find out the truth and so far as I know this is the first objective investigation by any official agency in the assassination.

Now again, I am not casting judgment on the Bureau because I think that a large part of the facts were withheld from the FBI by the CIA but I would conclude at least we have tried to find out the truth.

MR. JARRIET : You have passed judgment in your own mind but will you take what evidence you have into a court of public opinion and either a legislative investigation, a Congressional investigation, where your evidence can be brought out to the public?

MR. GARRISON : I will take all evidence which is relevant to our case into the courtroom. Actually what you have mentioned is the proper place for it and that is a Congressional enquiry into the CIA's activities. All of our evidence will be made available to the CIA. And if

they look into it seriously there is no question in my mind but what the CIA will be reorganised. Of course, we need an intelligence operation but it will be reorganised so it has Congressional control. You cannot have in a democracy an organisation which really believes that the end justifies the means and which is not responsible at all to the representatives of the people in Congress. That is what we have. And when you have that, you have a totalitarian power in your country and we have in the CIA, today, because of that.

MR. CLARK : I am sorry but our time is now just about up. It has been a pleasure having you with us as our guest on 'Issues and Answers'.

Chapter 11

Counter-attack from Washington

II

False Witnesses on NBC

It would be impossible to enumerate here all, or even nearly all, the frontal or snide attacks on Jim Garrison which have appeared in the American press (seconded by a large portion of the world press) in the period between February 17, when the investigation first became known and the trial of Clay Shaw. Virtually all major newspapers in the United States, from *The New York Times* down, participated in this organised onslaught, as well as all important magazines, news weeklies, radio and television networks, etc.

The most massive assault came when the National Broadcasting Company put on the air, on June 19, an hour-long 'documentary' about the Garrison investigation which made the New Orleans district attorney appear as an unredeemed villain bent on the administration of total injustice.

Certainly the most curious aspect of this nation-wide propaganda offensive is the date when it got started. As we have seen in Chapter 7, the self-admitted CIA agent Gordon Novel has publicly stated that he had been on the NBC payroll from *February 1, 1967*, through April 1, helping the network to gather information and material for this particular programme. In other words, NBC had made a bid for the co-operation of a key witness in this investigation two to three weeks before the first news of it leaked out to the public through the *States-Item*.

This shows that the CIA had been alerted to what Jim Garrison was up to, long before reporter Rosemary James poked her pert little nose into the matter. Conscious of its guilt and impelled by an elementary instinct of self-

preservation, the intelligence agency then swung into action to try and thwart the investigation at all cost.

It is not surprising that the CIA, from the outset, turned to the National Broadcasting Company for help. NBC, as Garrison has pointed out, is owned by the Radio Corporation of America, one of the top ten defence contractors in the United States. The Pentagon, CIA and NBC thus appear as three pillars of one and the same establishment. This close relationship, Garrison has said, 'helps to clarify the federal government's role in obstructing our investigation.'

For the special purposes of this programme, NBC had enlisted the services of a professional investigator, Walter Sheridan, forty-one, who had worked for several years in the U.S. Department of Justice under the then Attorney-General Robert Kennedy.

One of the 'highlights' of the NBC 'documentary' has already been mentioned before. It was the announcement, made with fanfare, that Clay Shaw was not Bertrand and that NBC had uncovered the identity of the man who went by that name.

'For his own protection,' the NBC narrator, Frank McGee, proclaimed, 'we will not disclose the real name of the man known as Clem Bertrand. His real name has been given to the Department of Justice. He is not Clay Shaw.'

This swindle was based on the deliberately false identification by Dean Andrews of the bar owner Eugene Davis as being 'Bertrand'. This was one of three counts on which Andrews was convicted for perjury in August, as has been detailed in Chapter 4.

Star witness of the NBC production was a convicted Negro burglar, John ('The Baptist') Cancler, who alleged that Garrison's investigators had attempted to make him 'put something' into Clay Shaw's house so it could later be used as evidence against the owner.

Cancler's 'testimony' on the NBC broadcast followed similar allegations the convict had made in an interview with *New York Times* correspondent Gene Roberts who

talked to him for two hours in the visitors' room at the Orleans Parish prison.

'Cancler said that he was charged in mid-November of last year with committing a burglary on Nov. 6,' Mr. Roberts wrote in *The Times* of June 12, 'and that soon afterwards he went to the district attorney's office, declared that he was innocent and asked if there was any way that the charges could be dropped.

'He said he had been told that a member of Mr. Garrison's staff would get in touch with him later. The contact was made, he said, in mid-January. At that time, he said, one of Mr. Garrison's aides drove him through the French Quarter of New Orleans, pointed to Mr. Shaw's house at 1313 Dauphine and, according to Cancler's statement, asked: "Do you think you could get in this house?"

'Cancler said he asked why, and the investigator then told him: "I might want you to put something in there."

'Cancler said that he had insisted on knowing "what's happening" and that the investigator had told him: "We're investigating the assassination of President Kennedy and we have reason to believe that the man (who) lives in that house had something to do with it."

'According to Cancler, the investigator's attitude "changed completely in a belligerent sort of way after I refused to go along with the program."

Soon afterwards, Cancler added, the district attorney's office took steps to bring him to trial. On February 18, a jury convicted him of simple burglary, but sentencing was delayed pending action on Cancler's request for a new trial. Cancler made this request, Roberts reported, after another prisoner on his cell tier in New Orleans confessed to the burglary that had led to Cancler's conviction. The District Attorney opposed this move on the ground that Cancler had previously been convicted three times for the same offence. He was now liable to a long stretch under the state's Multiple Offenders Act.

Cancler told much the same story on the NBC programme, but when he was asked, on July 12, to repeat

his allegations under oath before the Grand Jury, he balked. In an unusual move underlining the importance of the case, the grand jury then left its usual chambers and journeyed en masse to the courtroom of Judge Bernard Bagert. There, the grand jury foreman, Albert V. Labiche, once again asked Cancler to swear that his 'statement' on television was true.

Once again, Cancler refused to answer, reciting the Fifth Amendment, and was promptly found guilty of contempt of court by Judge Bagert who sentenced the prisoner on the spot to another six months' imprisonment and a \$500 fine. It is quite obvious, then, that Cancler's assertion on the NBC programme that he had been asked by Garrison's men to put 'something' into Shaw's house was untrue.

As usual in the case, few, if any of the newspapers that had jumped with glee on Cancler's lying allegations on NBC, subsequently bothered to inform their readers that this peculiar star witness had virtually recanted in court by taking the Fifth and preferring to be sentenced for contempt of court than face an inevitable perjury rap.

Cancler's performance on NBC was matched, in the course of the same 'documentary', by the statements of another convict, a twenty-nine-year-old Cuban named Miguel Torres, who also claimed that Garrison's men had tried to bribe him into giving false evidence against Clay Shaw. Again, Gene Roberts of *The New York Times* had jumped the gun on the television network, by recording Torres' say-so in print before it went on the air. The newsmen met Torres at the state prison at Angola, about 100 miles up the Mississippi River from New Orleans. His witness, we learn, had just finished serving about one-third of a nine-year sentence for burglary and had another three years coming to him in a Federal prison on a narcotics conviction.

'According to Torres,' *The New York Times* reported, 'two members of Mr. Garrison's staff visited him at Angola in mid-January. Then about two weeks later, he said, one of the staff members drove him to the parish

prison in New Orleans, where Mr. Garrison and his assistants questioned him sporadically.

'At the first meeting with representatives from Mr. Garrison's office, according to a signed statement Torres gave this reporter (Gene Roberts), one investigator said: "What would be the thing you would like most?"

"I said my freedom," Torres said. "And he (one of Mr. Garrison's representatives) said, "We'll give you an ounce of heroin and send you to Florida for three months on vacation—just lay back and enjoy yourself." And he said, "If you don't co-operate, Miguel, we'll make you do those nine years you have here plus the other times (three years) you have pending in the Federal penitentiary. You know the boss is very powerful. He can make you do all of this time or he can cut you loose right at this moment."'

This account is most unlikely on the face of it. For one thing, it is highly improbable that a law-enforcement officer would offer heroin to a convict as an inducement, thereby himself committing a grave federal offence. It is also unlikely that so much pressure should be applied (or so much promise be held out) to a prisoner for the comparatively small contribution expected of him, as outlined by Torres himself. Gene Roberts continued:

'Torres said he was under the impression initially that the district attorney's office would help him get his freedom if he answered questions to the best of his ability. But he said he later came to the conclusion that the offer of freedom applied only if he were to provide testimony that would help Mr. Garrison bolster his charges that the Kennedy assassination was the result of a conspiracy. He said he had reached this conclusion because he had told the truth to Mr. Garrison and his staff and they had not attempted to have his present sentence reduced.'

Again, this account lacks plausibility. These negotiations with Mr. Garrison and his staff are supposed to have taken place at a time when Torres had already been in jail for about three years. Adding the time that usually elapses between arrest and conviction it seems likely that

Torres, at the time of the Kennedy assassination, was already behind bars. As a matter of fact, Mr. Roberts states elsewhere in his article that Torres, in the view of Garrison's staff, had been involved in anti-Castro politics in New Orleans in the *early 1960's* and 'might have heard' anti-Castro forces plotting to kill President Kennedy.

Actually, Torres' story shows that what Garrison really wanted to hear from him was an inside account on goings-on at the Shaw home prior to the assassination. Torres, it seems, was acquainted with Shaw and had attended some 'sex parties' in his home. This is the way Roberts tells this story :

'After he was transferred to the prison in New Orleans, Torres added, he was taken to Mr. Garrison's office and found the district attorney and several of his assistants drinking beer. He said Mr. Garrison had told him, "Have a couple of beers, Miguel," and then had begun showing him pictures of several Cubans and New Orleans residents. Torres said Garrison had given him a "rundown on each of them (the men in the photographs) and (kept) asking me if I knew them. I said, 'No'."

'At subsequent interrogation sessions, Torres went on, one member of Mr. Garrison's staff tried to persuade him to submit to hypnosis, and still another "stressed the point of going along with Mr. Garrison and reminded me how much Mr. Garrison could hurt me."

"One of the interrogators," Mr. Torres said, "asked me if I knew Mr. Shaw. I said, 'No'. He said, 'Yes, you know Mr. Shaw. You frequented his house on Dauphine Street. You went to his sex parties. You better tell me, Miguel. You don't want to get the boss mad.' "

It must be apparent to the least sophisticated mind that there is something inherently wrong with this account and with the more or less parallel story Torres told on NBC.

Here we have a two-time loser with two consecutive long-term prison sentences already imposed on him and a chance, or so he says, of getting out from under in a jiffy. All he has to do, in order to get his slate wiped clean, is

to co-operate with the district attorney to the extent of confirming that he had been at Shaw's house and had taken part in 'sex parties' there. What prisoner wouldn't jump at such a chance, even if he had to make up a few details, or maybe the whole story, to prove himself co-operative?

Torres does not reveal what is supposed to have motivated his refusal to go along with the investigators. Are we to believe that a convicted burglar and narcotics offender rejects such a splendid offer as Garrison's men are supposed to have handed him on a silver platter out of the purest concern for the truth? Tell that to the marines!

At this writing, Torres' allegations have not yet had a grand jury sequel like the one that immediately exposed Cancler's false testimony, but chances are that this will not be much longer in coming. At any rate, Torres' story needs to be taken with a grain of salt, the same as the already exposed lies of Andrews and Cancler.

What is more, in at least one case that has come to light, the NBC people apparently did just what they were trying to prove against Garrison : attempt to bribe a witness.

In a bill of information dated July 7, and signed by assistant DA Robert E. Lee, Walter Sheridan was formally charged with public bribery. The charge was based on an affidavit from Perry Russo stating that Sheridan and others on or about June 11 had approached him to try and induce him to change his testimony about Clay Shaw. According to Russo, Sheridan made him the following offers :

1. Lodging in a residence in California.
2. Payment of the fee of an attorney for extradition proceedings.
3. Protection and immunity from the State of Louisiana and the district attorney's office.
4. Guaranteed employment in California or job security.

Previously, Russo, in a press conference held at the

office of Assistant District Attorney James L. Alcock, on June 20, had taken sharp issue with that part of the NBC programme referring to his own testimony. NBC had quoted Russo as saying he had not told the truth when he testified that Shaw conspired with Oswald and Ferrie.

Russo formally denied having made such a statement and accused Sheridan of distorting what he really had said. He had only expressed disgust at the effects his involvement in the case as a witness was having on his personal life. 'He twisted it around,' Russo said of Sheridan and his report.

Reporters pried him with questions, trying to elicit from him some kind of admission that his statements before the grand jury had not been accurate. Calmly and confidently as he has behaved throughout his ordeal, Russo replied that he had spoken 'the absolute truth'.

He identified the three persons who had contacted him on behalf of NBC as Walter Sheridan; Richard Townley of WDSU-TV of New Orleans, an affiliate of NBC; and *Saturday Evening Post* writer James Phelan.

Sheridan, Townley and Phelan made repeated visits to his home, Russo said, to try to persuade him to appear on the NBC documentary. And, Russo added that he was always in contact with the district attorney's office about these visits.

'I never met with any of these people without knowledge on the part of the district attorney,' Russo said.

He quoted Townley as having told him that the NBC group was working with Shaw's defence in an effort to wreck the State's case. Even more significant was his assertion that members of the trio had told him that both the NBC and the Central Intelligence Agency were 'out to wreck the Garrison investigation'.

On July 19, Sheridan's lawyers, in a twelve-page motion asking that the subpoena requiring Sheridan to appear before the grand jury be quashed, fired a broadside at Garrison whom they accused of 'misconduct, intimidation and bribery' in developing his evidence

against Shaw. The motion rehashed the allegations previously made by Beauboeuf, Cancler and Torres to substantiate these charges.

The motion also contended that Garrison was 'subverting the historical purpose of the grand jury' by using it for his own purposes and asked for the recusal of the DA as grand jury adviser because his 'personal interests' were affected.

In a prompt rebuttal, Assistant DA Alcock pointed out that this motion 'implies that the twelve citizens on this grand jury are being led by the nose. They are not robots. Whenever this jury or any grand jury is deliberating on whether or not to return an indictment, the assistant DA's leave the room.' Garrison, he added, had 'absolutely nothing' to do with picking the grand jury.

Walter Sheridan, for his part, voiced indignation at what he called attempts by the district attorney to stifle freedom of the press.

Garrison countered with a sharp blast :

'Mr. Walter Sheridan insults the concept of freedom of the press when he attempts to use it to make himself look heroic. Freedom of the press does not include the right to destroy a State's case so that a defendant can escape justice.'

The district attorney branded the NBC programme as 'a very clear attempt to prejudice in advance possible jurors in the case', and added :

'This programme will probably stand for years as a symbol of the lengths to which some powerful outside interests will go in order to interfere with State government.'

The chairman of 'Truth or Consequences, Inc.', Joseph Rault, Jr., also joined the fray with a blistering statement saying that the NBC had 'violated and misused its rights of public broadcasting'. Rault called the Sheridan production 'very biased and prejudicial' and added that it was 'full of improper accusations and innuendoes, seemingly attempting to discredit witnesses

and making improper charges against our law enforcement officers.'

Most accurately, Rault termed the programme 'outrageous, shocking and an insult to the American sense of fair play'.

On July 11, identical charges as those that had previously been levelled against Walter Sheridan were preferred by the district attorney's office against his colleague, WDSU-TV newscaster Richard Townley. Additionally, however, the New Orleans man was charged on two counts, one of which stated that :

'Richard Townley did wilfully and unlawfully use violence, force and threats upon one Perry Raymond Russo . . . with intent to influence his conduct in relation to his duty as a witness.'

The other item brought still another witness into the overcrowded picture : a young woman named Marlene Mancuso who was described in the press as a one time beauty queen and former wife of fugitive witness Gordon Novel.

In a sworn statement which Garrison's office released simultaneously, Miss Mancuso asserted that Townley had attempted to interfere with her testimony as a witness in the (Houma bunker) burglary case against Novel and quoted the newscaster as saying that Garrison would be 'destroyed'.

'He said they were not merely going to discredit the probe,' Miss Mancuso's affidavit stated. 'He said Garrison would get a jail sentence.'

Walter Sheridan's truly frantic attempts to wriggle out of a Grand Jury summons to appear in court and confront Perry Russo on the bribery issue go a long way to proving that his NBC production was a sham and a fraud.

After he had been served with a subpoena to appear before the jury on July 19, Sheridan, through his lawyers, appealed to the State Supreme Court for a stay of this appearance.

The higher court, on July 28, issued a preliminary

order to stay all proceedings in the case until further orders of the Supreme Court. There was jubilation in the anti-Garrison camp, but not for long. For, on August 7, the Supreme Court denied Sheridan's application for writs, thus making the grand jury subpoena effective.

Two days later, Sheridan was notified that the jury was in session and that his presence in court was required : he failed to appear.

Thereupon Judge Bagert ordered a contempt hearing for August 15 and signed an order for Sheridan's appearance on that day.

In a quick countermove, Sheridan informed the judge through his lawyer, Milton Brener, that it had been 'physically impossible' for him to appear in New Orleans on the 9th, as the jury had required, because he was on assignment in Detroit, but that it would be possible for him to appear on August 10 or 11, if the grand jury saw fit.

Informed that Judge Bagert had ordered a contempt hearing for the 15th, Sheridan again pleaded physical impossibility, for he was under subpoena to appear before a federal court in Chicago, his lawyers told the New Orleans court. 'This subpoena will necessitate his appearance in Chicago throughout the 14th, 15th and 16th of August as the government has insisted on his presence at this hearing which involves requests by James Hoffa and others for new trials.'

That this was nothing but a subterfuge became soon apparent. For on the very day after Sheridan's attorneys had informed Judge Bagert that their client would be unavoidably detained in Chicago on the 14th through the 16th of August, but that he was willing to appear before the jury in New Orleans on the 10th or 11th 'if the jury saw fit', they appealed to federal authorities to take Sheridan under their wing.

Indeed, on August 10, Sheridan's lawyers filed suit in the Federal District Court in New Orleans asking the court to enjoin District Attorney Garrison from enforcing the subpoena to appear before the grand jury and to

grant a restraining order to prevent the DA from further prosecuting the charges against him. The Hearing on the requested injunction took place on August 21, in the court of Federal District Judge Alvin B. Rubin. Milton Brener, Sheridan's lawyer, based his argument on the new civil rights rulings by the U.S. Supreme Court which demanded that a defendant be protected by legal counsel at all times. He pointed out that his client would not have counsel before the grand jury. 'Mr. Garrison was bent for leather in stopping Mr. Sheridan,' he said and accused him of purposeful discrimination and selective enforcement of the law in charging Sheridan. The judge asked if he thought Sheridan was threatened with other charges if he made an appearance before the grand jury. 'We feel strongly,' said Brener, 'that Mr. Garrison does not intend to stop with one charge,' and then proceeded to reiterate the now threadbare story that the district attorney's office had been guilty of public bribery in its offer of money and a job to Alvin Beauboeuf.

What fresh charges did Sheridan fear? With Andrews already convicted of perjury only seven days before in connection with the very story that Sheridan had fabricated about Eugene Davis being the real Clay Bertrand, it is not very hard to guess.

Only three days before the Hearing an AP dispatch from Chicago cast new and significant light on Sheridan's investigations in New Orleans prior to the NBC programme for which he was responsible. 'A co-defendant of James Hoffa,' it read, 'imprisoned Teamsters Union president, testified Friday that a former justice department aide of Robert F. Kennedy offered him evidence of government wiretapping in exchange for his help in discrediting Jim Garrison.' It appeared that this co-defendant was a certain New Orleans building contractor called Zachary Strate who was testifying at a Hearing ordered by the U.S. Supreme Court to determine whether Hoffa and six others had been convicted on illegally obtained evidence. Strate's words in the witness box were 'Walter Sheridan offered me evidence of

government bugging . . . in exchange for helping to discredit district attorney Jim Garrison'.

Strangely enough, Sheridan's lawyer, who was present in court, did not deny that this meeting had taken place but contented himself with disputing the time and place indicated by Strate (June 12, at a New Orleans hotel) and with describing Strate's version of what happened at this meeting as absolutely false. It had been arranged by Judge O'Hara, he said, and when asked why the judge had sought to bring the two men together, he replied: 'I suggest you ask Judge O'Hara about that.' Then he asked an astonishing rhetorical question. 'Why is a criminal judge running around setting up meetings?' and answered it himself. 'That's an interesting question.'

The reader may find the name of Judge O'Hara familiar. It was Judge Malcolm V. O'Hara who contested the election for the office of District Attorney with James Garrison in 1965. An interesting question indeed!

In subsequent testimony it transpired that Malcolm O'Hara had formed a close friendship with Strate and had recently accompanied him on a number of trips to various cities in the States for which Strate had paid his fares. O'Hara had also been to see another of Hoffa's associates, a man named Partin, who was in gaol in Baton Rouge, carrying with him an affidavit for Partin to sign. It was to the effect that Partin's testimony in the Hoffa case had been false, and Partin refused to sign it. Asked why he had done this, O'Hara replied that he had been acting as a messenger for somebody else but refused to say who it was. He was also asked whether his election battle of 1965 had not left him considerably in debt and whether Strate had not lent him \$30,000. His counsel, however, successfully intervened with objections to both these questions.

Can one really believe that a former aide of Senator Robert Kennedy would attempt to reach such an unsavoury accommodation with his ex-employer's sworn enemy? But then we have already seen the lengths to which Sheridan was prepared to go in order to wreck

Garrison's case and his desperate attempts to avoid their legal consequences. The flimsy grounds on which his appeal to the federal court was based surely indicate the significance of this manœuvre. No doubt his lawyers hoped that by shifting his case from a potentially unfriendly to a friendly jurisdiction they would enable their client to avoid having to choose between perjuring himself, as did Andrews, or taking the Fifth Amendment and being sentenced for contempt of court, as happened to the luckless Cancler. In this they proved to be shrewd judges of the situation for on August 28 Judge Rubin ruled that Sheridan did not have to answer the subpoena to appear before the grand jury. He did however rule against Sheridan and Townley on their request that Jim Garrison be enjoined from prosecuting them on charges of public bribery, and, in Townley's case, of intimidation of a witness. Thus Sheridan was enabled to wriggle out of the grand jury summons on the grounds that he might without benefit of counsel have incriminated himself in connection with a pending charge that had nothing to do with the summons. And thus he avoided Andrews' fate.

* . . . *

One more Garrison quote in relation to the NBC affair is in order, because it neatly sums up an increasingly self-evident situation :

'All the screaming and hollering now being heard is evidence that we have caught a very large fish. It is obvious that there are elements in Washington, D.C., which are desperate because we are in the process of uncovering their hoax.'

A very large fish indeed. And an even bigger hoax.

Chapter 12

Counter-attack from Washington

III

Turncoat Gurvich to the Rescue

In connection with the NBC hassle, Garrison was to suffer his most serious setback yet. One of his closest collaborators, a man named William H. Gurvich, defected to the other side and then did his utmost to help wreck the investigation. He didn't succeed in that endeavour, but the damage he did was severe.

At the start of the Garrison probe, Gurvich, who with his brothers Leonard and Louis Gurvich, ran a private detective agency, volunteered to assist the district attorney's office in their investigation of the Kennedy murder plot. His offer was accepted and he was entrusted with a variety of tasks, especially in the public relations field.

To Gurvich went the assignment, for instance, of announcing the arrest of Clay Shaw to the press. He was also among those investigators who were sent to Dallas to interview Sergio Arcacha Smith. Perhaps that was the occasion when Gurvich first established contact with the opposition.

His defection came as unexpected as a bolt from the blue. It came about in a devious manner which adds no lustre to a manifestly disloyal move. In a special newscast on June 22, NBC announced that Garrison's 'chief private investigator', William H. Gurvich had recently told Senator Robert F. Kennedy that there was 'no basis in fact and no material evidence in Garrison's case for an assassination plot against the late President Kennedy'.

The description, frequently used in the press, of Gurvich as 'chief investigator' to Garrison is incorrect. He never was on the staff of the district attorney's office, but

served as a 'dollar-a-year-man', an influential but by no means decision-making auxiliary. He never had access to the innermost secrets of the Garrison probe.

The NBC newscast was followed by this statement which Senator Kennedy issued through a spokesman: 'At Mr. Gurvich's request I spoke to him in Washington recently. I have not discussed the substance of our conversation and I think it would be inappropriate to do so now.'

That statement, of course, was tantamount to saying that NBC's information had come to the network not from Senator Kennedy, but from another source, which under the circumstances could only be Gurvich himself. Subsequent developments proved this interpretation correct.

At the same time, *Newsday*, a mass circulation newspaper published in Garden City in the suburban area of New York, said in a copyright interview published on June 23: 'He (Mr. Gurvich) was asked if it were true that, as some reports had it, he had told the senator that the Garrison investigation was "a hoax". Mr. Gurvich said: "That is absolutely untrue. I think Mr. Garrison believes in what he is doing. He is sincere."'

A few days later, Gurvich openly labelled the Garrison enquiry 'a hoax', and questioned the district attorney's integrity, sincerity and common sense. That gives you a measure of Gurvich's duplicity.

On June 26, Gurvich, having quit his job with the District Attorney, issued a statement urging the Orleans Parish Grand Jury to start an immediate investigation into the way Mr. Garrison had conducted his assassination enquiry.

In a telegram to the grand jury, Gurvich said he was prepared 'to give evidence of *travesties of justice* on the part of the District Attorney in the case of Louisiana vs. Clay Shaw'.

Mr. Gurvich's sudden realisation that the Garrison probe was a 'travesty of justice' after all, followed a stormy scene at the office of the District Attorney. When

Gurvich that morning appeared at the office, for a 'conference', as he said with Garrison, the latter's chief investigator, Louis Ivon, resolutely barred his way at the guard rail. Gurvich tried to push past Ivon, but was restrained.

'Have I been fired?' Gurvich asked.

'I don't know anything about that,' Ivon replied.

'May I come in?' Gurvich asked again.

'No, you can't,' was Ivon's firm reply. 'The boss wanted you to wait outside.'

Then Assistant DA James Alcock appeared on the scene and showed Gurvich to a back office. At the end of fifteen minutes, he stormed out saying 'I don't wait for anyone longer than a half hour,' and left. Later he told newsmen he had resigned 'because I could not meet with Mr. Garrison to ask him to re-evaluate the investigation and drop the charges against Clay Shaw'.

What made Gurvich suddenly so eager to have the charges against Shaw dropped? At the time Shaw was arrested, nobody was more emphatic than Gurvich in telling the press that Garrison had the evidence necessary for conviction of the accused.

And now Gurvich was telling reporters that Garrison had 'no case' against Mr. Shaw and that he (Gurvich) would support this assertion with 'specifics' if he was allowed to appear before the grand jury. He would welcome an opportunity also to appear before a Federal Grand Jury, Gurvich added, to give evidence that Garrison had 'violated the civil rights of several people—including Mr. Shaw'.

Garrison, visibly angered by this spectacular defection of a once trusted aide, fought back with a statement saying in part :

'Some months ago Mr. Gurvich, who operates a night watchman service, appeared out of the blue and offered his assistance to our investigation. After a few months, he just as quickly disappeared from view.

'One of Mr. Gurvich's increasing complaints, however, was that he felt that he was not being given enough

information about the investigation itself.

'One of the reasons we did not give him all of our information was that we soon learned that he was having meetings with Mr. Walter Sheridan, a former federal investigator now working for the National Broadcasting Company. From that time on, Mr. Gurvich's assignments were limited to photography, chauffeuring and other technical work of a limited nature until he faded out of view about six weeks ago.'

If the District Attorney 'soon' learned that Gurvich was having meetings with Sheridan (without the NBC as yet showing its true colours), and NBC, as the above-cited statement by Gordon Novel shows, had begun its check on the Garrison investigation as early as February 1, 1967, the plausible implication is that Gurvich was a 'plant'—and most likely a CIA plant.

In another statement released at the same time, Garrison branded Gurvich's apostasy 'the latest move from the Eastern headquarters of the Establishment to attempt to discredit our investigation,' and added :

'It becomes increasingly apparent that elements of the Federal Government are absolutely desperate in their attempt to prevent the people of this country from finding out what really happened in Dallas.'

What prompted Gurvich to change sides?

To this question which the whole world was asking, Gurvich, according to Jack Nelson of the *Los Angeles Times*, answered on June 28, that 'he decided to denounce the investigation after Mr. Garrison plucked the name of his latest suspect from a letter written by a Texas woman whose husband had abandoned her and her children. She wanted help in locating him and described him as a man with a scar over his left eye.'

'Garrison has always thought that a man with a scar over his left eye was a companion of Lee Harvey Oswald,' Gurvich said. 'So now this man became his suspect. It was so absurd I figured Garrison had gone completely nuts.'

Why should it be absurd? As a professional investigator

Gurvich must know that chance sometimes provides an important clue where long research has failed. If Garrison 'has always thought' that a man with a scar over his left eye was an important witness in the case, his curiosity was bound to have been aroused by the letter from that woman in *Texas*.

Men with scars over their left eyes aren't exactly legion and the number of those who also happen to be from Texas must be quite limited. If Garrison, then, puts one and one together and concludes that it makes two, he is only doing what any investigator worth his salt would do under the circumstances.

The one who is being absurd in the case surely is Gurvich, not Garrison.

Jack Nelson also reports that Walter Sheridan, after repeated talks with Gurvich 'first' arranged for the latter to meet with Senator Kennedy in *New York* on June 8 to relate his views.

Were there *two* meetings, then, between Kennedy and Gurvich—one on June 8 in New York and another one a few weeks later in Washington?

When Gurvich put forward his (truly absurd) idea of complaining to a federal grand jury about Garrison violating the 'civil rights' of Clay Shaw and his other suspects in the case—by the same token every arrested murderer, arsonist or rapist could complain that his civil rights were being violated—he said, still according to Nelson, "I imagine Bobby could arrange that" and was smiling broadly as he referred to Sen. Kennedy by his first name.'

This brings up a curious and disturbing issue.

Is Senator Robert Kennedy by any chance siding with the powers-that-be in Washington for the purpose of wrecking the Garrison investigation?

Incredible, even monstrous, as this thought must appear to anyone familiar with the real background of the Kennedy assassination, it can no longer be dismissed out of hand. For Gurvich is not alone in implying with his 'broad smile', his use of the name 'Bobby', and even

with the far-fetched suggestion that Senator Kennedy could arrange for a federal grand jury to be called to look into the 'violation' of Clay Shaw's 'civil rights' that Robert Kennedy is on the side of those who seek to defeat Garrison. The way Senator Kennedy rushed to the defence of his former aide Walter Sheridan, after the latter had been formally accused in New Orleans of trying to bribe a witness in the Garrison investigation, speaks volumes, and Strate's story referred to in the last chapter becomes doubly significant in consequence.

'I have been fortunate to know and work with Walter Sheridan for many years,' Robert Kennedy said in a statement released in Washington on July 18. 'Like all those who have known him and his work, I have the utmost confidence in his integrity, both personal and professional.'

'This view was shared by President Kennedy himself, with whom Mr. Sheridan was associated for many years in a relationship of utmost trust, confidence and affection.'

'His personal ties to President Kennedy, as well as his own integrity, ensure that he would want as much as, or more than, any other man, to ascertain the truth about the events of November 1963.'

'It is not possible that Mr. Sheridan would do anything which would in the slightest degree compromise the truth in regard to the investigation in New Orleans.'

What is one to make of this warm defence, by the brother of the slain President, of the legally and morally indefensible actions of Walter Sheridan, a man obviously committed to wrecking, by fair means or foul, the official investigation into the death of President Kennedy conducted by District Attorney Garrison?

What is Robert Kennedy's game?

That question is being increasingly asked by all those who have been pressing for establishment of the truth about the assassination. That he is not exactly a leader in this fight, as his role as head of the Kennedy clan normally would have commanded him to be, has long

been sadly apparent. But who could have imagined that Robert Kennedy would go so far as to line up openly on the side of those who seek to torpedo the search for the truth at all cost?

Robert Kennedy's attitude in the case—his initial inertia, his affirmation of Oswald's guilt in Cracow, Poland, early in 1964, his total failure to give any support to the critics of the official version, and now this clarion call in defence of Sheridan—has always been the most puzzling aspect of the Kennedy murder case. It is the only 'mystery of Dallas' that's left.

What is the explanation of this enigma?

I believe that it lies buried deep in Robert Kennedy's long and close association with the CIA. In some ways which cannot yet be clearly perceived but which I feel confident time will reveal, the CIA has a firm grip on Robert Kennedy. He is to all intents and purposes a prisoner of the criminal organisation which he himself had helped to put into a position of paramount power and which then murdered his brother, President Kennedy.

Garrison, unperturbed by Robert Kennedy's move, replied with a statement that said in part :

'Whether Mr. Sheridan—a known intimate of Sen. Robert F. Kennedy—is innocent of the crime of attempted bribery will be determined by a jury of citizens. It still remains to be determined what motives lie behind Mr. Sheridan's efforts to interfere with law enforcement in New Orleans.

'If he actually represents the interests of Sen. Kennedy, than he has been unfair to his employer, the National Broadcasting Co. If he really represents only NBC, then Sen. Kennedy should pick his associates more carefully. In either case, justice in Louisiana is our problem and not theirs.'

The combined assault on Garrison of the Sheridan-Gurvich forces also brought to the fore an old foe of the District Attorney, the 'Metropolitan Crime Commission.' On June 21, E. C. Upton Jr., president of the MCC (a

private group), and Aaron M. Kohn, its managing director, wrote to Louisiana Attorney General Jack Gremillion, asking him to launch his own investigation into the manner in which Garrison had been conducting his probe. The letter specifically cited the allegations made by Alvin Beauboeuf in *Newsweek*, as well as those of Cancler, Torres, Andrews etc. on the NBC show, as the basis for the MCC move.

Two days later, Gremillion, who had once been involved himself in a fierce battle of words with Garrison, wrote back that he had 'no authority to comply' with the MCC's request and added that he felt the Commission was asking him to 'supplant or supersede a district attorney.'

He was clearly acting under orders from the Governor, John J. McKeithen, who in a news conference on June 27 declared: 'I'm leaving matters concerning Mr. Garrison's investigation up to the state attorney general. I don't feel the situation warrants an investigation by my office.'

On June 28, all three partners in the 'Gurvich Brothers Detective Agency' were summoned to appear before the Orleans Parish Grand Jury, along with Ed Planer, news director of station WDSU-TV. MCC director Aaron Kohn also appeared to testify. Dean Andrews, too, was on hand for renewed questioning.

All day long, until late in the evening, the grand jury questioned the six men, especially William Gurvich who himself had offered to submit 'evidence' that would destroy Garrison's case against Shaw. While no details of the hearing were made public, in conformity with the law, Grand Jury foreman Albert V. La Biche, at 9.50 p.m., issued a significant statement as follows:

'The Grand Jury, in its continuing investigation of the Kennedy conspiracy case and the many charges claimed by various principals in news media, heard testimony and has concluded that as of 9.30 p.m. this date, no new evidence has been produced to confirm any of the allegations that have been made to date.'

To make clear whose allegations had been found wanting, La Biche added that the grand jury had in mind the allegations 'pertaining to the critics of Mr. Garrison's office.'

Although this wording still may seem somewhat ambiguous, it was generally understood as a slap at the Gurvich Brothers, Kohn, Andrews and Planer.

'Evidence Does Not Confirm Critics' Charges—La Biche' read the heading under which the New Orleans *Times-Picayune* reported the hearing the next morning.

Thus the most massive attempt undertaken to date in order to wreck the Garrison investigation also fell flat as had the preceding ones.

Chapter 13

Garrison Strikes Back

The Sheridan-Gurvich affair provided Garrison with opportunities for two major pronouncements on the scope and significance of his investigation. On June 26, in the context of his reply to Gurvich, from which I have already quoted some passages in the foregoing chapter, he said: '... It will be noticed that we now are experiencing two forms of counter-attack from the forces defending continued concealment. First, there is occurring a closely-timed coalition of major news media and other co-operative agencies,¹ seeking to create the impression that the assassination is a closed matter and anyone who raises questions is either sinister or misguided. Second, there is a tremendous amount of economic pressure being brought to bear in the government's effort to smother our investigation.

'Of course, if the truth about President Kennedy's assassination had been brought out it would not be necessary to continue to conceal from the people hundreds of essential documents as well as other vital pieces of evidence concerning the assassination.

'A possibility that this evidence may be brought to light showing that there was a conspiracy—a fact which elements of our federal government have apparently well known all along—is behind the increasingly frantic counter-measures coming from the Washington-New York area.

'If we are so far off the track, then why is there such an organised effort being made to discredit the investigation before the trial? *If we are not in possession of facts show-*

1. This is a reference among others to a 24,000 word AP despatch, the longest in history, and a three-part C.B.S. programme both of which put the case for the Warren Commission and attacked its critics.

ing what really happened at Dallas, won't that be made perfectly plain at the trial?'

Mr. Garrison here touches upon a few points of basic common sense which, in a more critical and enlightened era, would hardly need belabouring at all. But, in our time the press and public are so bedevilled by mass suggestion, official propaganda and sheer obscurantism—much of it emanating from the 'intelligence' agencies—that it may be necessary to hammer home these elementary truths.

Why, indeed, are hundreds of documents relating to the assassination 'classified' (many of them as TOP SECRET!) and thus permanently withheld from public inspection even by scholars, if the official story is true? It stands to reason that this massive effort at concealment and secrecy can have no other purpose than to hide the truth about what happened at Dallas.

How can one refute Garrison's argument 'If we are so far off the track, etc.'? Is it not self-evident that the organised campaign to wreck the investigation before the case goes to trial proves precisely that Garrison is on the right track? If he were not, the forces of the Establishment could simply relax, watch a befuddled district attorney take the beating of his life at the hands of an indignant jury and then gloat over his discomfiture.

But Garrison is quite right: there is an element of frenzy in the increasingly savage attacks coming out of the 'Washington-New York area'.

Garrison, so far has refrained from naming explicitly the 'elements of the federal government' which are becoming 'frantic' and even 'desperate' as the truth slowly comes out, but it would take a dull mind indeed not to guess what or whom he is aiming at.

When Garrison speaks of a 'tremendous amount of economic pressure' that is being brought to bear in the government's effort to smother his investigation, he means of course that any witness or investigator of his who is willing to sell out to the opposition will be regally

provided for, for life, out of the limitless shush fund available to the CIA.

Garrison made it clear that, in his opinion, Gurvich, for one, had succumbed to the 'tremendous economic pressure.'

'I do not condemn Mr. Gurvich,' he said. 'I am sorry to see that he is willing to lend himself to the transparent effort to keep hidden the truth about the assassination.'

'I presume that when he says that the members of my staff do not have a professional approach, that he means they cannot be bought. If that is the case, I am glad that they are amateurs and I am confident that they will remain that way.'

'It is because they are amateurs and because there is not enough money or power in this country to corrupt them, that we are going to work to expose the entire truth of the assassination to the people of this country.'

Words like these—plain, sober, honest words inspired by integrity and common sense—are seldom heard in America these days. It is good to hear them. They make one feel good again at being an American, after years of bowing one's head in shame and despair. If Garrison achieves nothing else, he will have accomplished something of a moral resurrection in America.

To the masterminds behind the NBC creation, their excessively abusive effort to silence Garrison proved a boomerang.

Immediately after the programme, Garrison wired a protest to the Federal Communications Commission, the official watchdog of the radio and television industry. Although the FCC is of course an agency of the federal government and therefore subject to strong pressure from it, the Commissioners could hardly have sidestepped the issue completely. They are duty-bound to see it that no broadcasting station violates its public trust, as NBC had done in this case over a nationwide network.

Realising the danger, NBC quickly moved to neutralise it. On July 5, the company offered Garrison half an hour of prime television time on July 15 to answer its 'docu-

mentary' of June 19. The offer was accepted.

Between the offer and the broadcast, a significant interlude occurred.

In an almost frantic move, Clay Shaw's attorneys, Messrs. F. Irvin Dymond, William Wegmann and Edward Wegmann, appealed to Judge Edward A. Haggerty, Jr., to prevent the District Attorney from making the scheduled television appearance.

The lawyers argued in their petition that the planned programme would directly affect the constitutional rights of their client to a fair and impartial trial. Furthermore, they said, the programme would be 'in direct contravention to, and in violation of, the guidelines heretofore issued by this court.'

Needless to say, they didn't breathe a word about how the 'fair and impartial trial' might have been affected by the NBC show of June 19, nor about the question of whether the court's guidelines had been violated by that production.

On July 12, Judge Haggerty threw out the petition as unfounded. He told the defence that the court was aware that the four sets of guidelines it had issued governing statements made in connection with the Shaw case had been repeatedly violated by persons 'including lawyers', acting at their peril, in discussing the case publicly. But, he said, he could not anticipate violation of the guidelines.

The defence request, Judge Haggerty noted, 'would require that I change the position I have consistently taken . . . this court fails to appreciate how it can anticipate a violation of orders until the violation occurs.'

The judge also reminded the lawyers that the District Attorney is bound, not only by the guidelines set by the court in this particular case, but also by 'the stringent rules and regulations of the Louisiana Bar Association and more particularly, the committee on grievances and ethics.'

So the programme went on the air and Garrison, for the first time, had an opportunity to address a nationwide

audience and to acquaint it with the true facts about the assassination and his views about the case in general.

Speaking for half an hour, in the early evening of July 15, a Saturday, Garrison declared :

‘The conclusion of the Warren Report, that President Kennedy was killed by a lone assassin, is a fairy tale.’

In reality, he said, ‘President Kennedy was assassinated by men who sought to obtain a radical change in our foreign policy, particularly in regard to Cuba.’

Garrison said his characterisation of the Warren Report as a ‘fairy tale’ did not mean that the members of the Warren Commission were aware at the time that their conclusion was totally untrue nor does it necessarily mean that they had sinister motives.

‘It does mean,’ he said, ‘that the conclusion that no conspiracy existed and that Lee Oswald was the lone assassin is a fiction and a myth that should be brought to an end.’

He nailed one devious device the Warren Commission has constantly employed to make the implausible, even the impossible, appear likely :

‘Whenever they have encountered a difficult implausibility such as the fact that Oswald was known to be a poor marksman with a rifle, whereas eight different wounds were caused in less than six seconds, they merely produce an expert to explain to you that this particular sequence of facts is really quite possible mathematically.’

Turning to the question why and how President Kennedy was murdered, Garrison delved into the historical background of the assassination.

‘In the fall of 1962 the Cuban missile crisis occurred and it was followed by a pronounced new attitude toward Cuba on the part of the United States,’ he said. ‘Cuba was no longer regarded as an enemy and was no longer regarded as fair game, for those men who had, for one reason or another, focused their attention on this island.’

In June of 1963, Garrison went on to say, President Kennedy in a speech said the United States should try to live in peace with the Russians.

'At this point,' Garrison charged, 'some individuals transferred their hostile attentions from Fidel Castro to John Kennedy. They planned the President's assassination and they planned it well.'

Garrison said the evidence indicated that President Kennedy was shot at from two different directions and also from the right front.

'We know that shooting was coming from two separate directions in the rear because the President and Gov. Connally were hit in the back within a split second of each other—and this necessarily had to happen with two bullets coming from two different rifles,' Garrison explained.

'We know that the President was being shot at from the grassy knoll area on the right front because most of the people in Dealey Plaza heard the shots coming from there—and because at least one of the President's wounds was an entry wound from the front and because men were seen running from the grassy knoll area immediately afterwards.'

Garrison also charged that 'hundreds' of documents that could help prove that a conspiracy existed have been withheld. *Others have been burned*, he added.

'This case has more accidental fires, more burning of papers, than any murder case in history,' he declared, indicating that there had been tampering on a massive scale with the material evidence.

In keeping with the court guidelines, Garrison made no comment on the arrest and indictment of Clay Shaw, but he devoted much of his time to a sharp attack on the 'Eastern news agencies', i.e. the sources of information centred on the Washington and New York areas.

He directed heavy criticism at NBC for the glaring inaccuracies in its June 19 broadcast, in particular the misleading allegation that the network had located the true Bertrand and given his name to the United States Department of Justice, and for the Cancler affair.

It was probably the first time people outside the New Orleans area learned that the convict John Cancler, who

had played a star role on the NBC programme, had been called before the grand jury and had refused to repeat his statements under oath.

Garrison also took issue with *Newsweek* and Aynsworth's claim that his office had attempted to bribe a witness in the case. 'It later turned out that his story and their article were totally untrue,' he declared. The District Attorney revealed in this connection that the police investigators in his office had been found innocent of any wrongdoing in a special probe conducted by the police department. 'However, *Newsweek* has made virtually no mention of that,' he added. .

In his considered judgment, Garrison stated, 'There has been an effort to prejudice in advance the potential jurors in the trial of this Shaw case. As a matter of fact, the National Broadcasting Co. has already had the trial. The defendant was found innocent and the district attorney was convicted.'

He contrasted this prejudiced attitude with the record of his office :

'I have been district attorney of New Orleans for more than five years,' Garrison said, 'and we have never had a single case reversed because of improper methods on the part of my staff. Nor do we rush to judgment on half-baked evidence.'

He pointed out that the proof of that lay in the fact that in more than five years, not one defendant has been acquitted on a murder case.

'Nor have we ever lost a major case in five years,' he added.

Turning once more to the Warren Commission, Garrison said that its enquiry into the assassination started off with a completely unacceptable philosophy for a democracy.

'One of the stated objectives was to calm the fears of the people about a conspiracy,' he said. 'But in a democracy like ours, the government has no right to calm our fears about a conspiracy any more than it has, for

example, the right to excite our fears unduly about Red China or fluoridation or birth control.'

In conclusion, I should like to quote one more remark by Garrison which the fighting district attorney for obvious reasons did not include in his NBC commentary but which he had made shortly before in a different context (in a statement to the *Times-Picayune* on June 24) :

'A tremendous amount of federal power is being brought to bear on anyone connected with our investigation—whether he be witness or investigator—in an effort to continue to conceal the real truth about President Kennedy's murder. It is obvious that the official Washington attitude is that our enquiry must be stopped at all costs.

'All they are doing is proving two things. First, that we were correct when we uncovered the involvement of the Central Intelligence Agency in the assassination. Second, that *there is something very wrong today with our Government in Washington, D.C.*, inasmuch as it is willing to use massive economic power to conceal the truth from the people.

'If these *political hacks holding high federal office* think that they can stop us from bringing out the entire truth about the assassination, they are going to get the surprise of their lives.

'As far as I am concerned, there is not enough money in the United States treasury and there is not enough printer's ink in this country to keep us from developing the facts about the murder of President Kennedy.'

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The Jim Garrison Story is no doubt far from finished. As time goes by, more chapters will be added to it which the reader of this book will find in the newspapers—or some of them, anyway.

Nor will the forthcoming trial of Clay Shaw constitute

the last chapter of that story, I feel sure. Regardless of the outcome of that trial, or of any other judicial sequel that may follow, Jim Garrison's work will never be undone.

The verdict of History, I feel confident, will go in his favour. And that is, after all, the only verdict that really matters.

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Photographic Whitewash

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The New Orleans District Attorney's enquiry into the assassination of President Kennedy burst into the headlines in February of this year. The world at large, following the Warren Commission, believed that Lee Harvey Oswald had been the lone assassin, that the case was closed for all time, and that the dissenting voices were those of cranks with no significant new evidence to offer. Thus the news from New Orleans took the world unawares and before long newsmen from almost every country were converging on that city. They were soon, however, feeding back reports indicating that the whole thing was some kind of hoax and within less than a month the story had almost completely died. Such stories as were printed were all slanted towards discrediting the District Attorney, James Garrison.

They were wrong.

The Garrison enquiry was anything but a hoax. The District Attorney, secure in the knowledge that he could not be removed from office, was undaunted by the opposition of both Washington and the news media. He calmly proceeded to obtain an indictment against Clay Shaw for conspiring to murder President Kennedy and as a result every conceivable effort has been made to wreck his case and discredit him personally.

This book is the story of the Garrison enquiry which the newspapers have not reported, the story of witnesses who fled for their lives and of others who lost their lives because they were not quick enough to flee. It is a story of moves and counter moves in one of the most dramatic episodes in American history, a story fraught with threats, bribes, treachery and false allegations. It is a story above all dominated by the shadowy form of the CIA whose hidden presence is manifested by the numerous lawyers in its pay who are attempting to block the enquiry.

The author has already written six books on President Kennedy's assassination (five published and one as yet, unpublishable), and thus has an almost unique insight into the real meaning of every move in the drama. This, his latest book on the subject, will hold its readers spellbound. For anyone wishing to understand the real significance of the Clay Shaw trial, it makes essential reading.

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